



Legislation Text

File #: 21-4404, **Version:** 1

ZC#21-018 Change of zoning from C-2 Community Business District with Freeway Overlay District to PD, Planned Development District for all uses in C-2 Community Business District plus drive through or to go food services without walk-in restaurant with Freeway Overlay District on approximately 0.656 acres being Lot 2-R-B-1, Block No. 1, of Replat of 2-R-B-1 and 2-R-B-2, Block 1, Mansfield Hospital Add located at 1780 FM 157.

Existing Use: vacant convenience store/gas station

Existing Zoning: C-2, Community Business District with Freeway Overlay District

Surrounding Land Use & Zoning:

North -Approved Murphy Express, C-2

South - Medical Office, C-2

East - Drive-through restaurant, vacant hospital, C-2

West - US 287

Thoroughfare Plan Specification:

FM 157 - Principal Arterial (six-lane divided)

Comments and Considerations

The subject vacant property consists of 0.656 acres with existing Community Business District (C2) zoning. The applicant is requesting to rezone the property to PD, Planned Development District to allow for a drive through or to go food services business without walk-in restaurant, a prohibited use in the Freeway Overlay District.

Development Plan and Standards

The subject property is within the Freeway Overlay District, which includes all properties adjacent to and within 300 feet of the right-of-way lines of a highway in the City of Mansfield. The purpose of the "FR" District is to create certain specific standards relative to land use, setbacks, signage, etc.

The requested rezoning is necessary for a proposed for a 510-sf drive-through coffee shop. The business will have two drive-through lanes and will not utilize an order board. Instead, guests will order at the window or via staff will portable POS machines. The development is providing two outdoor seating areas. The first is adjacent to the western employee service doors and will accommodate 4 guests at a bench table under a covered patio. A second area will be placed in a landscaped area to the south of the building within a gazebo.

The planned development, as proposed, meets all sign, material, articulation, and other community design standards found within the zoning ordinance. The gazebo area meets standards for developments to provide community space.

There are several deviations and waivers required:

1. Allowance of a prohibited use in the Freeway Overlay District, a drive-through business without walk-in restaurant.
2. Landscape buffer depth from 30 feet to variable reduced (some areas are less than 10') width as shown on Landscape Plan. The existing buffer will be largely maintained and enhanced with landscaping to provide as much aesthetic appeal on a corner highway property while allowing the proposed re-development.
3. Reduce the street buffer plant material from 1 large tree per 25 feet of landscape buffer or 10 large trees to a combination of seven existing and proposed large and ornamental trees as shown on the landscape plan. Existing trees will be preserved to contribute to site aesthetics. Grounding plantings will be added to the buffer to comply with the city's requirements and contribute to a gateway property.
4. Reduce the number of required shade trees from 5 to a combination of 3 existing ornamental and two proposed new trees (one large and one ornamental). Reduce tree spacing for required large trees from 1 per 25 feet to 1 per 40 feet on center. The proposed trees are scaled to the limit buffer area. Existing trees will be preserved to contribute to site aesthetics. Grounding plantings will be added to the buffer to comply with the city's requirements and contribute to a gateway property.
5. Reduce the minimum width of landscape median strip below 6 feet to accommodate two drive through lanes and an escape lane. A quasi-median strip is provided on each side of the drive through including additional plant material that will screen vehicles.
6. Parking lot landscaping. Allow ground plantings in certain parking lot landscape islands given site constraints as generally shown on Landscape Plan.

2012 Land Use Plan

The 2012 Land Use Plan states within its Commercial Land Use Goals & Strategies that the City should "ensure that standards related to the development of non-residential uses along major corridors are the highest possible so that a positive visual perception of Mansfield is projected to citizens and visitors (Strategy 3.5)." As a small drive-through only facility, this land use's visual perception seems to be limited to stacking and drive aisles for vehicles and parking for employees. That is, of the 28,314 square feet of lot area, only 510 square is dedicated to the actual building, the equivalency of two drive-through stacking spaces or two of the 16 employee/non-dining room spaces.

Section 155.067 (C) (34) Freeway Overlay District Regulations expressly prohibits "drive-thru or to go food services except as a secondary use to a walk-in restaurant". The purpose of the Freeway Overlay District to add specific standards relative to land use and in this case the overlay seeks to limit small "drive-thru" only establishments and require more significant establishments along US 287, with this particular property occupying a hard corner with FM 157.

Staff recommends denial.

Attachments:

Maps and Supporting Information
Exhibit A - Property Description
Exhibit B - Development Site Plan
Exhibit C - Building Elevations
Exhibit D - Landscape Plan
Exhibit E - Sign Plan